



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7014 1200 0000 6119 1904

Boone County Landfill
1268 224th Lane
Boone, Iowa 50036

Notice of Non-Compliance

To Whom It May Concern:

RE: Boone County Landfill
1268 224th Lane, Boone, IA

On August 19th, 2021, the U.S. Environmental Protection Agency sent a compliance assistance letter to make Boone County Landfill aware of a new federal regulation regarding air emissions from Municipal Solid Waste Landfills. Because the State of Iowa has not submitted its own plan to implement the updated Emission Guidelines for existing sources (found in the code of federal regulations at 40 CFR Part 61, Subpart Cf) the facility is subject to the federal plan (found at 40 CFR Part 62, Subpart OOO), which the EPA directly implements. The final rule became effective on June 21, 2021.

As stated in the prior compliance assistance letter, Subpart OOO applies to landfills located in State of Iowa that:

- 1) commenced construction, reconstruction, or modification on or before July 17, 2014, and
- 2) accepted waste at any time since November 8, 1987 or have capacity for future waste deposition.

The compliance assistance letter also stated that landfills that are currently required to have a gas collection and control system are required to meet the new regulations in 40 C.F.R. Part 62, Subpart OOO, and to continue operating their GCCS until the requirements for removal have been met.



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Subpart OOO requires an initial design capacity report and an emission rate report for landfills with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters. The design capacity and emission rate reports were due to the EPA on September 20, 2021. As of the date of this letter, we have not received Boone County Landfill design capacity and emission rate reports (*see* 40 C.F.R. §§ 62.16711(g) and (h) for details). The failure to timely submit each report is a violation of 40 C.F.R. §62.16724.

Proper reporting and record keeping are important factors in determining compliance with the Clean Air Act.

Within 30 days of receipt of this letter, please submit the design capacity and emission rate reports to the EPA. If Boone County Landfill would like to submit the information electronically, please use a DVD-ROM. This information shall be provided to:

Avery Bowers
ECAD-AB
U.S. Environmental Protection Agency 11201
Renner Boulevard
Lenexa, Kansas 66219

You can find additional information about the air landfill air regulatory requirements at <https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-new-source-performance-standards>.

Please note that the submission of the required information does not prevent the EPA from pursuing appropriate enforcement actions, including penalties, for non-compliance. The penalties for Clean Air Act violations can be up to \$51,796 per violation per day of non-compliance.

Please direct all questions concerning this letter to me at (913) 551-7639 or bowers.avery@epa.gov.

Sincerely,

Tracey Casburn
Chief, Air Branch
Enforcement and Compliance Assurance Division

cc: Brian Hutchins – Iowa DNR